

# CITIZENS' WATER ADVISORY COMMITTEE (CWAC)



Wednesday, May 6, 2015, 7:00 a.m.  
Director's Conference Room  
Tucson Water, 3<sup>rd</sup> Floor  
310 W. Alameda Street, Tucson, Arizona

## Summary Minutes

### 1. Roll Call:

The meeting was called to order by CWAC Chair, Brian Wong at 7:02 a.m. Those present and absent were:

#### Present:

Brian Wong	Chairperson, Representative, City Manager
Mark Murphy	Representative, Mayor
Placido dos Santos	Representative, City Manager
Chuck Freitas	Representative, City Manager
Alan Tonelson	Representative, Ward 1
Amy McCoy	Representative, Ward 2
Bruce Billings	Representative, Ward 3
George White	Representative, Ward 4
Mark Lewis	Vice Chair, Representative, Ward 5
Jackson Jenkins	Pima County Regional Wastewater Reclamation Department Director, Ex-Officio Member

#### Absent:

Alan Forrest	Tucson Water, Director, Ex-Officio Member
Jean McLain	Representative, City Manager
Catlow Shipek	Representative, City Manager
Mark Taylor	Representative, City Manager
Mitch Basefsky	Representative, City Manager
Kelly Lee	Representative, Ward 6

#### Tucson Water Staff Present:

Sandy Elder	Deputy Director
Andrew Greenhill	Intergovernmental Affairs Manager
Chris Rodriguez	Water Administrator
Melodee Loyer	Water Administrator
Pat Eisenberg	Water Administrator
Fernando Molina	Water Program Supervisor
Wally Wilson	Chief Hydrologist
Joaquim Delgado	Public Information Specialist
Johanna Hernandez	Staff Assistant
Kris LaFleur	Staff Assistant

#### Others Present:

Chris Avery	City of Tucson, Attorney's Office
Amy Stabler	City of Tucson, Ward 6
Tony Wong	City of Tucson, Budget
Michael Block	Metro Water
Albert Lannon	Citizen

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2. **Announcements** – No action taken.
3. **Call to Audience** – Mr. Albert Lannon spoke on behalf of the Avra Valley Coalition regarding the use of glyphosate to control buffelgrass on properties owned by Tucson Water. Mr. Lannon provided two handouts to the Committee for their review. Tucson Water staff will provide information to the Committee on this issue as requested.
4. **Review of April 1, 2015 Legal Action Report and Meeting Minutes** – Committee Member Tonelson motioned to approve the Meeting Minutes of April 1, 2015, as amended by Tucson Water staff. Member Freitas seconded. Motion passed unanimously by a voice vote of 9-0.

5. **Director's Report** –

**a. Mayor and Council Items** – On April 7<sup>th</sup>, the Mayor and Council considered and approved multiple items. A Metro Wheeling agreement was approved on consent; the IGA provides for wheeling of up to 300AF/year of Metro's CAP water to Lazy B, Sendero Pass and Pomegranate Farms and Camino Verde, to begin in summer 2015. The Notice of Intent related to the proposed FY16 rate structure was adopted on consent; a public hearing is scheduled for May 19<sup>th</sup>. A long-time lease with TIMPA, a model airplane association, was renewed on consent.

On April 21<sup>st</sup>, the Mayor and Council considered and confirmed the reappointments for CWAC Members Freitas and Shipek.

On May 19<sup>th</sup>, the Mayor and Council will consider multiple items. The public hearing related to the proposed rate structure will be held, and code changes related to CWAC elections will be considered on consent.

**b. Department Updates** – Deputy Director Elder announced that Director Forrest has submitted his resignation. His resignation will be effective June 12<sup>th</sup>, and a national search for a new Director will be initiated. CWAC will be kept up to date on the progress of this search. A brief discussion was held on the Director's resignation. Tucson Water currently has 55 vacancies, 19 active recruitments and 7 pending new hires.

**c. Informational Items** – TW received its rating report from Standard and Poor's, affirming an AA rating and giving TW a stable outlook.

Potable demand is currently in the low 90s, most likely due to recent rains.

6. **Subcommittee Reports** –

**Technical, Policy, and Planning Subcommittee** – Subcommittee Chair Murphy reported that TPP discussed the Water Checkbook and reviewed the Water Service Area policy. Both items will be discussed today with the full Committee.

**Finance Subcommittee** – Subcommittee Chair Billings reported that the Subcommittee has nothing to report at this time.

**Conservation and Education Subcommittee** – Subcommittee Chair Amy McCoy reported that C&E will be discussing Green Infrastructure studies and the strategic plan in their coming meetings.

**Bill Redesign Ad-Hoc** – Subcommittee Chair Tonelson reported that the first meeting of the Subcommittee was well attended. The Subcommittee will be discussing the various implications of bill redesign. The second meeting will be held on June 1<sup>st</sup> at 2 p.m.

**RWRAC Update** – Ex Officio Member Jackson Jenkins reported that RWRAC received a presentation from Tucson Water staff member Wally Wilson that was well received. Director Jenkins spoke about the status of biogas contract, which is currently being renegotiated with a new contractor. RWRD's proposed rate increases have been continued. Recommendations for rate increases have changed from 3 years of

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4% increases to 2 years of 3% user increases with 2% budget cuts. Discussion is being held regarding including 3% connection increases as well.

7. **Appointments to Subcommittees** – Member Lewis motioned for appointment of Placido dos Santos to the Conservation and Education Subcommittee. Member McCoy seconded. Motion passed by a roll-call vote of 8-0, with Member dos Santos abstaining.
8. **Water Checkbook/Water Service Area Policy Update** – Tucson Water staff member Melodee Loyer, along with staff member Wally Wilson, provided a PowerPoint presentation on the Water Checkbook and the Water Service Area Policy. Mr. Wilson noted the Water Checkbook reflects total potable supplies of 161,130 AF, long term storage credits of 236,005 AF, and total effluent supplies of 25,731 AF. Potable use is down 3% from 2013. A brief background on the Water Service Area Policy, Water Assurance Letters, and Nine Refinements was provided. Ms. Loyer reviewed and delineated (by month, customer type and jurisdiction) the 2014 water service requests (167), approvals (122) and denials (45). Common reasons for denial were discussed (outside of service area, does not meet water service area policy) with a brief review of terms for approval. Four denials were appealed to Water Service Area Review Board (WSARB); each denial was reviewed as to location, circumstance and reason for denial. Brief conversation regarding the annexation process and use of wells by Tucson Water customers was held.

Tucson Water staff member Johanna Hernandez reviewed the proposed administrative changes to the WSARB process, including the addition of deadlines within which to file and process appeals, the designation of support staff, and the process for appeal to Mayor and Council. Staff proposed thirty (30) calendar day deadlines be included for the following stages of the WSARB process: appeal of a Tucson Water denial of service to the WSARB; setting of a WSARB hearing; appeal of a WSARB denial to Mayor and Council; and placement of appeal on a future Mayor and Council agenda. Additionally, staff proposed the policy should be amended to reflect the City Manager's Office shall "assign" staff, as opposed to the current language which reads they shall "provide" staff. Finally, staff proposed, after consultation with the WSARB, that the process for appeal to Mayor and Council be codified to reflect that, upon notification of an appellant's desire to appeal a WSARB denial to Mayor and Council, Tucson Water staff shall coordinate the appeal with the Clerk's office for an upcoming Mayor and Council agenda on behalf of the appellant.

Member Murphy departed at 8:11 a.m. and returned at 8:12 a.m.

9. **Consideration of Formation of By-Laws** – Member Lewis began the discussion with a background on the reasons for his request for the Committee to discuss and consider the formation of formal by-laws for the Committee, described in the handout he provided to the Committee. Member Freitas indicated his specific support for consideration of items related to the relationship between Subcommittees and the full Committee, as well as that of the process for appointment of officers. Member Murphy indicated his general support for some of the specific recommendations but noted that he is hesitant to set more restrictive by-laws. Member Tonelson indicated his support for specification of the process for appointment of officers. Members discussed issues related to clarification the Committee's role as an advisory body, perhaps through a well-defined mission statement. Additional discussion was held on Subcommittee presentations that are repeated at full Committee, and options for a more efficient process, perhaps through Subcommittee Reports. Member Lewis noted that solutions to these issues may not need to take the form of By-Laws or formal rules, but general enhancements to the processes of the Committee. As five members of CWAC were not present, Member Lewis motioned for continuation of the item to a future agenda. Motion seconded by Member Freitas. Motion passed unanimously by a voice-vote for 9-0. Future discussions will be framed as Committee Discussion of CWAC Processes.
10. **Future Meetings/Agenda Items** – See projected agenda.
11. **Adjournment** – Meeting was adjourned at 8:17 a.m.

Approved 6/3/15.